

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VINCENT KEITH BELL,
Plaintiff,
v.
CHRISTOPHER KROL, et al.,
Defendants.

Case No. [13-cv-05820-SI](#)

**ORDER ON SEALED DOCUMENTS
FILED IN CONNECTION WITH
SPOILIATION SANCTIONS MOTION**

Re: Dkt. Nos. 265, 285, 327

On March 18, 2024, plaintiff Vincent Bell filed a motion for spoliation sanctions related to a missing fourth videotape from the jail that he alleges would have captured the excessive force incident in question. Dkt. No. 266. The Court denied the motion without prejudice in a pretrial order issued April 17, 2024. Dkt. No. 357 at 2-3. The Court now rules on the various administrative motions to seal material filed in connection with the spoliation sanctions motion, finding that the “good cause” standard for sealing applies. *See Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1097 (9th Cir. 2016).

The Court hereby **ORDERS** as follows:

Plaintiffs’ Motion for Spoliation Sanctions:

Document or Portions of Document to Be Sealed	Evidence Offered in Support of Sealing	Order
Highlighted portions of Plaintiff’s brief at: -Page 3, lines 12-19 -Page 4, lines 7-13, 17-20, n.3 -Page 6, lines 14-15 -Page 7, lines 7-9, n.4 -Page 8, lines 16-22	<i>See</i> Dkt. No. 286.	GRANTED. The parties shall re-file the brief on the docket, redacting only those portions for which sealing has been granted, no later than July 19, 2024.

Exhibit 11 to Declaration of Elizabeth A. Heckmann in Support of Plaintiff's Motion for Spoliation Sanctions (Court-Ordered Declaration of Sergeant Luquin)	<i>See</i> Dkt. No. 286.	GRANTED, as to ¶¶ 3 and 5. DENIED, as to ¶¶ 2 and 8, as defendants do not seek to seal these portions. The parties shall re-file Exhibit 11 on the docket, redacting only those portions for which sealing has been granted, no later than July 19, 2024.
Exhibit 12 to Declaration of Elizabeth A. Heckmann in Support of Plaintiff's Motion for Spoliation Sanctions (Court-Ordered Declaration of John Ramirez)	<i>See</i> Dkt. No. 286.	GRANTED, as to ¶¶ 4, 5, 7, 8, and 10. DENIED as to the remainder, as defendants do not seek to seal these portions. The parties shall re-file Exhibit 12 on the docket, redacting only those portions for which sealing has been granted, no later than July 19, 2024.
Exhibit 13 to Declaration of Elizabeth A. Heckmann in Support of Plaintiff's Motion for Spoliation Sanctions (Second Amended Declaration of John Ramirez)	<i>See</i> Dkt. No. 286.	GRANTED, as to ¶¶ 5, 7, 8, 9, 10, 12, 15, 17, and 18. DENIED as to the remainder, as defendants do not seek to seal these portions. The parties shall re-file Exhibit 13 on the docket, redacting only those portions for which sealing has been granted, no later than July 19, 2024.
Exhibit 14 to Declaration of Elizabeth A. Heckmann in Support of Plaintiff's Motion for Spoliation Sanctions (schematics and camera locations for Pod 3 and medical pod in San Francisco County Jail 3, entire document from Bates number CCSF_BELL-000680 to CCSF_BELL-000682)	<i>See</i> Dkt. No. 286.	GRANTED.
Exhibit 16 to Declaration of Elizabeth A. Heckmann in Support of Plaintiff's Motion for Spoliation Sanctions (camera matrix), entire document from Bates number CCSF_BELL-002921 to CCSF_BELL-002932	<i>See</i> Dkt. No. 286.	GRANTED.
Exhibit 18 to Declaration of	N/A. Defendants no longer	DENIED. The parties shall re-

Elizabeth A. Heckmann in Support of Plaintiff's Motion for Spoliation Sanctions	seek to seal this document.	file Exhibit 18 (unredacted) on the docket no later than July 19, 2024.
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Defendants' Opposition:

Document or Portions of Document to Be Sealed	Evidence Offered in Support of Sealing	Order
<p>Highlighted portions to Defendants' Opposition to Plaintiff's Motion for Spoliation Sanctions¹</p> <ul style="list-style-type: none"> • At page 4:15-18 • At page 5:6-7, 17-19 • At page 6:26-27 • At page 7:27-28 • At page 8:11-12, 16-20, 22, 23-25, 26 • At page 14:11 • At page 16:5-7 	See Dkt. Nos. 285, 285-1.	GRANTED.
<p>Highlighted portions to the Declaration of Rebecca Louie in Support of Defendants' Opposition to Plaintiff's Motion for Spoliation Sanctions</p> <ul style="list-style-type: none"> • At ¶ 2 	See Dkt. Nos. 285, 285-1.	GRANTED.
Highlighted portions of Exhibit D to the Declaration of Rebecca Louie in Support of Defendants' Opposition to Plaintiff's Motion for Spoliation Sanctions (Court-Ordered Declaration of Sgt.	See Dkt. Nos. 285, 285-1.	GRANTED.

¹ The page and line citations in defendants' proposed order on the sealing motion are incorrect. See Dkt. No. 285-2.

1	Luquin)		
2	• At ¶¶ 3, 5		
3	Highlighted portions of Exhibit F to the Declaration of Rebecca Louie in Support of Defendants' Opposition to Plaintiff's Motion for Spoliation Sanctions (Court-Ordered Declaration of Daniel Santizo)	See Dkt. Nos. 285, 285-1.	GRANTED.
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8	• At ¶ 3		
9	Highlighted portions of Exhibit L to the Declaration of Rebecca Louie in Support of Defendants' Opposition to Plaintiff's Motion for Spoliation Sanctions (For Attorney's Eyes Only – Confidential Court-Ordered Second Amended Declaration of John Ramirez)	See Dkt. Nos. 285, 285-1.	GRANTED.
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15	• At ¶¶ 5, 7, 8, 9, 10, 12, 15, 17, 18		
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17	Highlighted portions of Exhibit M to the Declaration of Rebecca Louie in Support of Defendants' Opposition to Plaintiff's Motion for Spoliation Sanctions (For Attorney's Eyes Only – Confidential Court-Ordered Declaration of John Ramirez)	See Dkt. Nos. 285, 285-1.	GRANTED.
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23	• At ¶¶ 4, 5, 7, 8, 10		
24	Exhibit N to the Declaration of Rebecca Louie in Support of Defendants' Opposition to Plaintiff's Motion for Spoliation Sanctions (Camera Matrix, produced as CCSF_Bell_002921, Highly Confidential – Attorney's	See Dkt. Nos. 285, 285-1.	GRANTED.
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Eyes Only)

Plaintiff's Reply:

Document or Portions of Document to Be Sealed	Evidence Offered in Support of Sealing	Order
Highlighted portions of Plaintiff's Reply brief at: - Page 3, lines 3-6 - Page 5, lines 7-16; n.2; n.3 - Page 6, lines 1-3; 28 - Page 7, line 1 - Page 9, lines 6-8; 12-14; 16-18; n.6; n.7 - Page 10, lines 1-2 - Page 13, n.8	See Dkt. No. 350.	GRANTED.

IT IS SO ORDERED.

Dated: July 9, 2024



SUSAN ILLSTON
United States District Judge